

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

**ENTERED**  
**Office of Proceedings**

JUN 30 2010

**Part of  
Public Record**

**NRG POWER MARKETING LLC**

**Complainant,**

**V.**

Docket No. NOR 42122

CSX TRANSPORTATION, INC.

**Defendant.**

**MOTION TO DISMISS**

**Karyn A. Booth  
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***Attorneys for NRG Power Marketing LLC***

**June 30, 2010**

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SURFACE TRANSPORTATION BOARD**

NRG POWER MARKETING LLC

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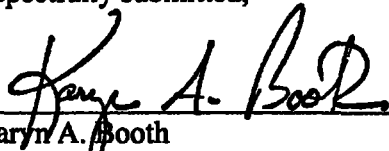
Defendant.

Docket No. NOR 42122

**MOTION TO DISMISS**

Complainant NRG Power Marketing LLC ("NRG") has reached a settlement with Defendant CSX Transportation, Inc. ("CSXT") on the matters at issue in this proceeding. Accordingly, NRG hereby withdraws its Petition for Injunctive Relief, and requests that the Board dismiss the complaint with prejudice and discontinue this proceeding.

Respectfully submitted,



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*Attorneys for NRG Power Marketing LLC*

June 30, 2010

**CERTIFICATE OF SERVICE**

I certify that on this 30th day of June 2010, I caused a copy of the foregoing to be served  
by hand upon the following:

G. Paul Moates  
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1501 K St. NW  
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*Counsel for CSX Transportation, Inc.*

  
\_\_\_\_\_  
David E. Benz